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ATTORNEY FOR PLAINTIFF, SHARIF OBAID

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SHARIF AHMED OBAID, Plaintiff, v. HAMILTON SUNDSTRAND CORPORATION, a United Technologies Company, and DOES 1 through 20, inclusive, Defendants.	Case No. 08cv1197 IEG (AJB) **PLAINTIFF'S REQUEST FOR TELEPHONIC APPEARANCE AT EARLY NEUTRAL EVALUATION CONFERENCE**

TO THE COURT, ALL PARTIES AND THEIR ATTORNEY(S) OF RECORD:

Plaintiff, SHARIF AHMED OBAID, hereby requests the Court grant permission for him to appear telephonically at the Early Neutral Evaluation Conference scheduled for August 15, 2008 at 2:00 p.m. This request is made pursuant to the Court's July 14, 2008 *Order Setting Early Neutral Evaluation Conference; Briefing Schedule and Briefing Requirements* and the attached *Declaration of Sharif Ahmed Obaid.*

This action was initially filed in State Court on May 15, 2008, and removed to this Court on July 3, 2008, generally alleging that defendants HAMILTON SUNDSTRAND CORPORATION, a United Technologies Company, and DOES 1 through 20, inclusive, have discriminated against Plaintiff based on national origin, and have retaliated against him. (*Declaration of Sharif Obaid*) On July 14, 2008, United States Magistrate Judge Anthony J. Battaglia set an Early Neutral Evaluation conference to be held on August 15, 2008 at 2:00 p.m.

Mr. Obaid is currently residing in Oklahoma. He is also unemployed. (*Declaration of Sharif Obaid*) His personal appearance at the ENE on August 15, 2008 therefore would be burdensome, costly, and difficult. If he is required to personally appear at the ENE, he would have to make arrangements to travel to California at this late date at significant cost to him for airfare. (*Declaration of Sharif Obaid*)

In light of these facts, Plaintiff is hereby requesting, pursuant to the Court's *Notice and Order Setting Early Neutral Evaluation Conference*, to appear at the Early Neutral Evaluation Conference on August 15, 2008 telephonically.

Dated: August 1, 2008

DOAN LAW FIRM, LLP

By: [signature]
DONALD A. GREEN
Attorney for Plaintiff, SHARIF AHMED OBAID

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SHARIF AHMED OBAID, Plaintiff, v. HAMILTON SUNDSTRAND CORPORATION, a United Technologies Company and DOES 1 through 20, Inclusive, Defendants.	Case No. 08cv1197 IEG (AJB) **DECLARATION OF ATTORNEY DONALD A. GREEN IN SUPPORT OF REQUEST FOR TELEPHONIC APPEARANCE AT EARLY NEUTRAL EVALUATION CONFERENCE**

I, the undersigned, declare:

1. I, Donald A. Green, am the attorney for Plaintiff in this action. This declaration is submitted based on the best of my personal knowledge and if called to testify would testify competently thereto unless such information is declared on information and belief as follows.

2. I filed this action on behalf of plaintiff, SHARIF AHMED OBAID, in State Court on May 15, 2008, and removed to this Court on July 3, 2008. The Complaint generally alleges that defendant HAMILTON SUNDSTRAND CORPORATION, a United Technologies Company, and DOES 1 through 20, inclusive, have discriminated against plaintiff by wrongfully terminating his employment with HAMILTON SUNDSTRAND CORPORATION due to his national origin, and defendants retaliated against him when he complained of such discriminatory conduct.

3. On July 14, 2008, United States Magistrate Judge Anthony J. Battaglia set an Early Neutral Evaluation conference to be held on August 15, 2008 at 2:00 p.m. Shortly thereafter, I informed Mr. Obaid of the requirement for the personal appearance of all parties at this conference.

4. Mr. Obaid is unemployed and residing in Oklahoma at the present time. His personal appearance at the ENE on August 15, 2008 therefore would be burdensome and difficult and represent a substantial financial hardship upon him. He would have to make arrangements to travel to California at this late date, and incur significant airfare cost.

5. Mr. Obaid does not have access to a fax machine, so I was not able to provide him with a copy of a Declaration to execute in this regard in order to electronically file by August 1, 2008.

6. In light of these facts, I am executing this declaration requesting on his behalf that he be permitted to appear at the Early Neutral Evaluation Conference on August 15, 2008 telephonically. He will fully cooperate with any mandates from the Court in any event.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: August 1, 2008

By: ______________________
DONALD A. GREEN

Sharif Obaid v. Hamilton Sundstrand, *et al*
Case No. 08CV1197-IEG (AJB)

PROOF OF SERVICE BY MAIL

I, Donald A. Green, declare as follows:

I am over 18 years of age and not a party to this action; I am an attorney with the DOAN LAW FIRM LLP, located in the County of San Diego, State of California, and my business address is 2850 Pio Pico Dr., Suite D, Carlsbad, CA 92008, telephone number (760) 450-3333; facsimile number (760) 720-6082.

On AUGUST 1, 2008 I served the document(s) described as:

1. **PLAINTIFF'S REQUEST FOR TELEPHONIC APPEARANCE AT EARLY NEUTRAL EVALUATION CONFERENCE**
2. **DECLARATION OF DONALD A. GREEN**
3. **ORDER**

on the interested parties in this action as listed below:

BY MAIL:

☒ As follows: I am "readily familiar" with the firm's practice for collection and processing of correspondence for mailing with the United States Postal Service; and that the correspondence shall be deposited with the United States Postal Service this same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY FACSIMILE TRANSMISSION:** From Fax No. (760) 720-6082 to the ***facsimiles of the below-listed facsimile numbers***. The facsimile machine I used complied with Rule 2003(3), and no error was reported by the machine.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on AUGUST 1, 2008, at San Diego, California.

DONALD A. GREEN

Sharif Obaid v. Hamilton Sundstrand, *et al*
Case No. 08CV1197-IEG (AJB)

PROOF OF SERVICE BY MAIL

Attorney for Defendant, HAMILTON SUNDSTRAND	Ms. Cassandra H. Carroll Seyfarth Shaw LLP 560 Mission St., Suite 3100 San Francisco, CA 94105 Tel: (415) 397-2823 Fax: (415) 397-8549